

REMARKS

Applicant acknowledges receipt of an initialed copy of the Form PTO-1449 enclosed with Applicant's Information Disclosure Statement filed on June 29, 2000 with the present application.

All of claims 1-4 stand rejected under 35 U.S.C. § 102(e) as being anticipated by (lacking novelty over) Ward '972 (assigned to Alcatel USA Sourcing, L.P.).

To support this rejection of claim 1, the Examiner refers to Figs. 1-6 of Ward '972, and merely states that "Ward teaches" a method which is described as a *verbatim* reproduction of Applicant's claim 1.

The Examiner uses the same approach for claims 2 and 4, referring to column 4 of Ward for claim 2, but not making any comment about the specific language of claim 3. For claims 2 and 4, the only comment in support of the rejection, again, is a substantially *verbatim* reproduction of the language of each of claims 2 and 4. (Where the Examiner writes "changeable" and "changed", Applicant will read --chargeable-- and --charged--).

The present invention relates to a telecommunications system/network of the type in which trunks connect exchanges and have at least one chargeable dynamic signaling port. There is a need to monitor the use of such chargeable ports so that users thereof can control their cost. Thus, the present invention provides a novel and unobvious method of monitoring and managing the use of chargeable ports of a trunk connecting two exchanges, wherein each application has assigned thereto a right of use which enables the application "either to have a port of this kind set up and then to use it or only to use a port of this kind if it has already been set up".

Claim 1 broadly defines this invention, while dependent claims 2, 3 and 4 (and new claim 5) add additional features described in the specification.

Applicant respectfully traverses the rejection under 35 U.S.C. § 102(e).

The rejection based on anticipation by Ward '972 requires that Ward disclose each limitation of each of claims 1-4 (and 5), or in other words that each of claims 1-4 (and 5) be readable, either expressly or inherently, on Ward's disclosure.

Applicant has studied the disclosure of Ward '972 but fails to see its relevance to the present invention (and the Examiner's comments are of no help in this regard, as they do not point to any particular passages of interest in Ward).

Ward certainly relates broadly to monitoring "line events" on a plurality of subscriber lines in a telecommunications system, but, otherwise, Applicant does not see any relevance of Ward's disclosure to the claimed invention. In column 4, lines 43-67, of Ward, Applicant notes the passage,

When an offhook condition is detected, the event is reported to the service unit as a common channel control message...which specifies the subscriber port of the offhook equipment,

but, there is no teaching or even a suggestion of "assigning rights to use" a trunk's chargeable port, and subsequent monitoring and managing an application's right to use the chargeable port as recited in claims 1 (and in its dependent claims 2-5).

Thus, since claims 1-4 clearly are not readable, either expressly or inherently, on Ward's disclosure, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection

of claims 1-4 (or else to explain to Applicant the exact manner in which the Examiner would read these claims on Ward's disclosure).

To cover a feature which is described in Applicant's disclosure, Applicant adds the new claim 5 which is supported by the drawing Fig. 2 and at least by page 4, lines 11-17, of Applicant's specification.

In summary, then, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection under 35 U.S.C. § 102(e), and to find the application to be in condition for allowance with all of claims 1-5; however, if for any reason the Examiner feels that the application is not in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

N.B. On the attached Form PTOL-326, the Examiner did not check the blocks acknowledging Applicant's claim for foreign priority and acknowledging receipt of the certified copy of the priority document. Attached is a copy of the filing letter claiming the foreign priority (which also is claimed in the Declaration), and a copy of the attorney's filing receipt listing "Pr Doc: yes" and bearing the PTO date stamp of "June 29, 2000". Therefore, Applicant requests the Examiner to make such acknowledgments in the Examiner's next communication.

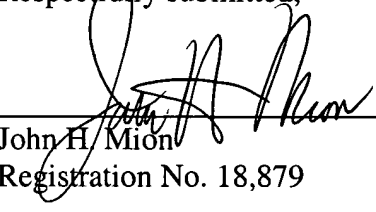
Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/605,881

Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 12, 2003



NEW U.S. PATENT APPLICATION
REQUEST OF EARLY NOTIFICATION OF SERIAL NUMBER

Inventors: Christian LAROQUE, Lahcen BENNAI

Title: METHOD OF MONITORING THE USE OF A CHARGEABLE
DYNAMIC SIGNALING PORT OF AN INTER-EXCHANGE TRUNK

Atty Doc. #: Q59841 Client: COMPAGNIE FINANCIERE ALCATEL

Filing Date: June 29, 2000 # Pgs. Spec/Abst: 6 #Claims: 4

Dwg. Sheets: 1 sht Decl: no Prelim Amdt: no

IDS/Prior Art: yes Pr Doc: yes Asgmt: no Fee: \$690.00
w/1449, search rep, transl sht, 3 refs

☒ Check Attached ☐ Charge to Deposit # 19-4880 Atty/Sec: DIC/vst

SERIAL NO.: _____

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